



PLANNING COMMISSION SYNOPSIS

February 19, 2015

CALL TO ORDER

Chairperson Nordstrom called the Planning Commission meeting to order at 6:00 p.m. in the City Council Chambers of the Bloomington Civic Plaza.

COMMISSIONERS PRESENT: Nordstrom, Willette, Spiess, Batterson, Fischer, Goodrum

COMMISSIONERS ABSENT: Bennett

STAFF PRESENT: Farnham, Fields, Smith

Chairperson Nordstrom led the attendees in the reciting of *The Pledge of Allegiance*.

ITEM 1

6:02 p.m.

CASE:	10953A-15
APPLICANT:	City of Bloomington
LOCATIONS:	2501, 2601 and 2701 American Boulevard East; and 2600 Lindau Lane
REQUEST:	Rezone primary zoning district from I-1, Industrial Park to LX, Lindau Mixed Use

SPEAKING FOR THE APPLICANT:

Julie Farnham, Senior Planner

PUBLIC HEARING DISCUSSION:

Farnham presented the staff report, identified the locations, the surrounding land uses, and the current zoning for the parcels. She explained the adopted South Loop District Plan recommended these parcels be rezoned from I-1 Limited Industry to L-X Lindau Mixed. While all land use guide plan amendments recommended in the South Loop District Plan have been adopted, the recommended zoning has not been put into place yet. Rezoning of all property in the South Loop District as recommended in the District Plan is on the 2015 Work Plan, but will not happen until later in 2015.

The City has been approached by someone to lease vacant tenant space in the Alpha V warehouse for an indoor commercial recreation use. That use is not allowed under the existing I-1 zoning, but is allowed under the proposed LX zoning. To accommodate this use, the City is proposing to move forward with property rezoning now, but only on the City-owned parcels. The City purchased the subject parcels a few years ago and has leases with existing business owners and tenants that extend through 2016 or 2017. The City plans to demolish the existing buildings in 2017 or 2018.

Farnham noted there are some overlay districts (Airport Runway Zone and existing Planned Developments) that will remain. The rezoning will result in existing building and industrial uses becoming nonconforming, however, this should not have any practical impact on the existing businesses who may continue to operate until they relocate (upon lease expiration). New development on the properties will need to meet the LX district standards. All existing businesses were notified of the new zoning proposals. To date, staff has not received any comments from them.

Farnham stated staff is recommending in Case 10953A-15, City of Bloomington, approval of rezoning parcels 2501, 2601 and 2701 American Boulevard East; and 2600 Lindau Lane from I-1, Industrial Park to LX, Lindau Mixed Use. She noted there will be no change to the applicable overlay districts. She stated she is available for questions and comments from the Commission.

Willette questioned the current planned development parcel and asked if it will change their status. Farnham stated no change; however, the existing planned development will be replaced when the properties are redeveloped.

Batterson asked for some history on the I-1 zoning of the parcels. Farnham gave brief explanation of that the industrial businesses and zoning on the Interstate Companies properties has been in place a long time.

Spiess stated since the current occupants have no issue with rezoning she has no issues.

Nordstrom stated this item will be heard at the March 16, 2015 City Council meeting.

ACTIONS OF THE COMMISSION:

M/Willette, S/Fischer: To close the public hearing. Motion carried 6-0.

M/Fischer, S/Spiess: In Case 10953A-15, I move to recommend the rezoning of the primary zoning districts of 2501, 2601 and 2701 American Boulevard East; and 2600 Lindau Lane from I-1 to LX with no change to the applicable overlay districts. Motion carried 6-0.

ITEM 2

6:10 p.m.

CASE:	5277ABCD-15
APPLICANT:	Nelmac, LLP
LOCATIONS:	9601 James Avenue
REQUESTS:	<p>1) Variance to reduce the side yard setback from 10 feet to 9.9 feet for the south structure; (5277A-15)</p> <p>2) Variance to reduce the side yard setback from 10 feet to 6.5 feet for the north structure; (5277B-15)</p> <p>3) Type III Preliminary and Final Plat of NELMAC 2ND ADDITION to create two new parcels from one existing parcel (Case 5277CD-15)</p>

SPEAKING FOR THE APPLICANT:

Reed Nelson, 1750 West 96th Street, partner with the company that owns the building.

PUBLIC HEARING DISCUSSION:

Fields summarized the staff report. Fields identified the locations of the parcel, the surrounding land uses, and the zoning. Fields explained the two proposed variances for side yard setback and the Preliminary and Final Plat of NELMAC 2ND ADDITION to create two new parcels from one existing parcel. This split reflects the previous lot configuration in 1988. Fields explained the proposed access easement on the east side of building is to serve the north building and allow for emergency vehicles use.

Fields stated staff recommends approval of a variance to reduce the side yard setback from 10 feet to 9.9 feet for the south structure; approval of a variance to reduce the side yard setback from 10 feet 6.5 feet for the north structure; and approval of the Type III Preliminary and Final Plat of NELMAC 2ND ADDITION to create two new parcels from one existing parcel at 9601 James Avenue subject to the conditions and Code requirements listed in the staff report. He stated he is available for questions and comments from the Commission.

Batterson asked why two variances rather than moving the proposed property line so one parcel would meet the side yard setback requirement and the other parcel would have a slightly larger variance. Fields stated the reason is the ease of use by the applicant/ owner of the property. The proposed subdivision creates a straight line that is a continuation of the existing property line to the east. Moving the proposed property line slightly would offset the lot lines slightly. In staff's opinion, no matter where the property line is, the distance between the two buildings stays the same. All future building additions would have to meet current setback requirements.

Batterson asked whether the appendage connecting the two buildings would stay in place. Fields said no, it will be demolished with the project.

Willette asked is whether they are proposing to reestablish the previous property line. Fields said yes that is correct. Willette asked whether the City had the same setback requirements at that time. Fields said he was not sure what was in place at that time, but no variances were found during review.

Reed Nelson, representing the applicant, stated the building has been vacant for three years and is for sale. There are issues related to the sale due to pollution. The intent is to place back on the market after the subdivision and maybe turn larger building in to multi-tenant use.

Fischer asked if there was any interest in the small building. Nelson said yes the most interest is in the smaller building.

Nordstrom stated these items will be heard at the March 2, 2015 City Council meeting.

ACTIONS OF THE COMMISSION:

M/Willette, S/Spiess: To close the public hearing. Motion carried 6-0.

M/Fischer, S/Spiess: Having been able to make the required findings, in Case 5277A-15, I move to recommend approval of a variance to reduce the side setback from 10 feet to 9.9 feet for the south structure at 9601 James Avenue South subject to conditions listed in the staff report. Motion carried 6-0.

M/Fischer, S/Spiess: Having been able to make the required findings, in Case 5277B-15, I move to recommend approval of a variance to reduce the side setback from 10 feet to 6.5 feet for the north structure at 9601 James Avenue South subject to the conditions listed in the staff report. Motion carried 6-0.

M/Fischer, S/Spiess: Having been able to make the required findings, in Case 5277CD-15, I move to recommend approval of a Type III Preliminary and Final Plat of NELMAC 2ND ADDITION to create two new parcels from one existing parcel at 9601 James Avenue South subject to the conditions of approval listed in the staff report. Motion carried 6-0.

CONDITIONS OF APPROVAL RECOMMENDED BY THE COMMISSISON:

Recommended Conditions of Approval for the Variances

The variances to reduce the side yard setbacks from 10 feet to 9.9 feet for the south structure, and from 10 feet to 6.3 feet for the north structure, located at 9601 James Avenue South (Case 5277AB-15) is subject to the following conditions of approval:

- 1) The variances are limited to the existing building locations as shown in the approved plans in Case File 5277AB-15.
- 2) All construction stockpiling, staging, and parking must take place on-site and off adjacent public streets and public rights-of-way.

- 3) Alterations to utilities must be at the developer's expense.

And, while the use and improvements must comply with all applicable local, state and federal codes, the applicant should pay particular attention to the following Code requirements:

- 1) Utility plan showing location of existing and proposed water main and fire hydrant locations must be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, MN State Fire Code Sec. 508);
- 2) Unused water services must be properly abandoned. (11.15).
- 3) Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
- 4) Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
- 5) Sign Design must be in conformance with the requirements of Chapter 19, Article X of the City Code.

Recommended Conditions of Approval for the Preliminary and Final Plat

The Preliminary and Final Plat for NELMAC 2ND ADDITION (Case 5277CD-15) is subject to the following conditions of approval prior to the plat being recorded:

- 1) A title opinion or title commitment that accurately reflects the state of the title of the property being platted, dated within 6 months of requesting City signatures, must be provided.
- 2) Consent to plat forms are needed from any parties with property interest.
- 3) Drainage and Utility easements must be dedicated on the final plat as follows:
 - i. 5 feet along all internal property lines
 - ii. 10 feet along all street frontages
 - iii. 30 feet on the east side of Lot 2.
- 4) A 10-foot sidewalk/bikeway easement must be provided by document and recorded with the plat.
- 5) Common utility and driveway/access/parking agreements must be provided as approved by the City Engineer, and proof of filing be provided to the City Engineer.

ITEM 3

6:21 p.m.

CASE:	N/A
APPLICANT:	City of Bloomington
LOCATION:	N/A
REQUEST:	Consider approval of draft Planning Commission Synopses for the meetings of: <ul style="list-style-type: none">• January 8, 2015• February 5, 2015

ACTIONS OF THE COMMISSION:

M/Spiess, S/Goodrum: To approve the synopsis of the January 8, 2015 Planning Commission meeting. Motion carried 5-0. (Batterson not voting due to absence at that meeting)

M/Spiess, S/Goodrum: To approve the synopsis of the February 5, 2015 Planning Commission meeting. Motion carried 6-0. (all present)

The meeting adjourned at 6:23 p.m.

Prepared By: DS Reviewed By: JF, DF

Approved By Planning Commission: 03/12/15

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